

Administrator – Acting
Jolaine Johnson & Leo Drozdoff

(775) 687-4670

Administration
Facsimile 687-5856

Water Quality Planning
Water Pollution Control
Facsimile 687-4684

Mining Regulations & Reclamation
Facsimile 684-5259

State of Nevada
KENNY C. GUINN
Governor



ALLEN BIAGGI, *Director*

Air Pollution Control
Air Quality Planning
Facsimile 687-6396

Waste Management
Federal Facilities

Corrective Actions
Facsimile 687-8335

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DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION

333 W. Nye Lane, Room 138
Carson City, Nevada 89706

23 March 2005

NOTICE OF DECISION

**WATER POLLUTION CONTROL PERMIT
NUMBER NEV0088011**

Newmont Mining Corporation
South Area Leach Project

The Nevada Division of Environmental Protection has decided to issue a renewal of Water Pollution Control Permit NEV0088011 to Newmont Mining Corporation. This permit authorizes the construction, operation, and closure of approved mining facilities in Eureka County. The Division has been provided with sufficient information, in accordance with Nevada Administrative Code (NAC) 445A.350 through NAC 445A.447, to assure the Division that the groundwater quality will not be degraded by this operation, and that public safety and health will be protected.

The renewal permit will become effective 06 April 2005. The final determination of the Administrator may be appealed to the State Environmental Commission pursuant to Nevada Revised Statute (NRS) 445A.605 and NAC 445A.407. All requests for appeals must be filed by 5:00 PM, 01 April 2005, on Form 3, with the State Environmental Commission, 333 West Nye Lane, Capitol Complex, Carson City, Nevada 89706-0851. For more information, contact Miles Shaw at (775) 687-9409, toll free in Nevada at (800) 992-0900, extension 4670, or visit the Division website at www.ndep.nv.gov/bmrr/bmrr01.htm.

A single comment was received during the public comment period from the Nevada Division of Water Resources stating "There are sufficient active water rights in the name of Newmont Mining Corporation to support the proposed project". The comment is noted.

At the request of the Permittee, Part I.D.13 of the renewal permit was modified from quarterly to bi-annual sampling frequency based on historic analyses and for consistency with other process solution sampling frequencies in the permit.